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SUBJECT: RWANDA TRIBUNAL REGISTRAR MEETS WITH USUN

Classified By: Ambassador Rosemary DiCarlo for reasons 1.4 (b) and (d)

¶1. (C) Adama Dieng, registrar of the International Criminal Tribunal for Rwanda (ICTR) and his special assistant Mandiaye Niang met with Ambassador DiCarlo on April 27 to provide their views on the status of the ICTR's completion strategy. After referring to Security Council 1503 (2003) that called upon the ICTR to complete its trial work by 2008 and its appeals work by 2010, Diang said that the timelines have now slipped to the point that the ICTR's trial work won't be completed until the middle of 2011. Diang said that the ICTR's decision not to transfer four cases to Rwanda has added to the delay and also stressed that the ICTR's judges need to work more efficiently and quickly. He also added that some judges (including ad-litem judges) are refusing to take new cases as they know the work is winding down and are starting to look for work elsewhere.

¶2. (C) Dieng shared that the ICTR's chief prosecutor recently announced that the court will begin to conduct trials "in absentia". Dieng questioned whether this decision is a viable route for the court to take. He also mentioned that the ICTR's prosecutors have several investigators to assist in obtaining evidence. At this point, Dieng said, quite a few of these investigators have nothing to do, but have been retained by the prosecutor. As the registrar, Dieng said that he is in a difficult position as he cannot direct the judges, yet he sees where they can save time and money. He asked that the United States, during the ICTR's biannual briefing to the Security Council in June, ask pressing questions of the court's president on some of these issues.

¶3. (U) Turning to the residual mechanism (RM) of the ICTR, Dieng said that for symbolic and international justice reasons, it is extremely important for an indictee such as Felicien Kabuga, if he were apprehended, to be tried on African soil. Dieng mentioned that he supports the location of the RM in Nairobi over Arusha since Nairobi is a UN hub and would be better able to support a future trial.

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